

**STATUS CERTIFICATE**  
(under subsection 76 (1) of the *Condominium Act, 1998*)

**York Condominium Corporation No. 435** (known as the “Corporation”) certifies that as of the date of this certificate:

**General Information Concerning the Corporation**

1. Mailing address: as per address of service
2. Address for service: York Condominium Corporation No. 435  
c/o Maple Ridge Community Management Ltd.  
5753 Coopers Avenue  
Mississauga, Ontario L4Z 1R9
3. Name of Property Management: Maple Ridge Community Management Ltd.  
Address: 5753 Coopers Avenue  
Mississauga, Ontario L4Z 1R9  
Telephone number: (905) 507-6726
4. The directors and officers of the Corporation are:

<i>Name</i>	<i>Position</i>	<i>Address</i>
Annie Imer	<b>President</b>	c/o 5753 Coopers Avenue, Mississauga
Alice Mazelet	<b>Treasurer</b>	c/o 5753 Coopers Avenue, Mississauga
Barbara Sutton	<b>Secretary</b>	c/o 5753 Coopers Avenue, Mississauga
Werner Wichmann	<b>Director</b>	c/o 5753 Coopers Avenue, Mississauga
Doug Goss	<b>Director</b>	c/o 5753 Coopers Avenue, Mississauga

**Common Expenses**

5. The owner of **UNIT 2, LEVEL 15**, 100 Quebec Ave, **UNIT 1602**, Toronto, Ontario, of **York Condominium Corporation No. 435**, registered in the Land Registry Office for the Land Titles (or Registry) Division of North York (Toronto), **IS NOT IN default** with respect to the common element payment **as of July 4, 2023**.

*(Please be aware that it is the sole responsibility of the current registered owner(s) of the unit to ensure that any purchaser/new owner is made aware of any additions, alterations, betterments, improvements, etc. made to the unit, and to make clear the undertaking of responsibility for repair and maintenance upon the unit closing/transfer of title. The Corporation is not responsible for same, now or in the future, and may request the change be registered on title at the sole expense of the owner.)*

6. A payment on the account of common expenses for the unit in the amount of **\$1,287.35** is due on **August 1, 2023**, for the period **August 1, 2023 to August 31, 2023**. This amount includes the amount of any increase since the date of the budget of the Corporation for the current fiscal year as described in paragraph 10.
7. The Corporation has the amount of **\$0.00** in prepaid common expenses for the unit.
8. There are no amounts that the *Condominium Act, 1998* requires to be added to the common expenses payable for the unit.

**Budget**

9. The budget of the Corporation for the current fiscal year is accurate and may result in a surplus of \$0.00 *or* a deficit of \$0.00 (unknown).
10. Since the date of the budget of the Corporation for the current fiscal year, the common expenses for the unit have not been increased.
11. Since the date of the budget of the Corporation for the current fiscal year, the Board has not levied an assessment against the corporation.
12. The Corporation has no knowledge of any circumstances that may result in an increase in the common expenses for the unit, except for the Reserve Fund contribution schedule outlined in the Reserve Fund Study except,

- a) The Corporation may be required to respond to an application submitted to the Human Rights Tribunal by an occupant of a unit in the Corporation alleging violation of her rights under the Human Rights Code of Ontario. For more information see paragraph 19 below.
- b) In addition, the Corporation has initiated an application in the Condominium Authority Tribunal against the occupant and owner of a unit concerning the removal of a dog from the unit and the Corporation's premises as being contrary to the Corporation's declaration. For more information, please see paragraph 19 below.

### **Reserve Fund**

13. The Corporation's reserve fund amounts to **\$3,316,285.60 as of March 31, 2023 (un-audited)**.
14. The most recent Reserve Fund Study conducted by the Board is a **Class 3 Reserve Fund Study dated April 11, 2023, prepared R and C Engineering Inc.**
15. N/A
16. The board has sent to the owners a notice dated April 15, 2023 containing a summary of the reserve fund study, a summary of the proposed plan for future funding of the reserve fund and a statement indicating the areas, if any, in which the proposed plan differs from the study. The proposed plan for future funding has been implemented and the total contribution each year to the reserve fund is being made as set out in the Contribution Table included in the notice.
17. There are no plans to increase the reserve fund under a plan proposed by the Board under subsection 94 (8) of the *Condominium Act, 1998* for the future funding of the reserve fund.

### **Legal Proceedings, Claims**

18. There are no outstanding judgments against the Corporation.
19. The Corporation is not a party to any proceeding before a court of law, an arbitrator or an administrative tribunal except,
  - a) The Corporation on February 24, 2022 received a notification that the occupant of 402 in 100 Quebec Ave, Toronto, Ontario, M6P 4B8, has submitted to the Human Rights Tribunal (HRT) an application naming the Corporation as a respondent along with its Property manager. The application claims the respondent violated the occupant's rights under the Human Rights Code. The occupant claims general damages of \$50,000.00 and other damages of \$50,000.00. The Corporation has not yet received notice of application from the HRT and a request to respond to the application. If it receives such notification, the Corporation intends to respond and dispute the allegations. In the meantime, the Corporation has reported the matter to its insurer who is investigating the matter and shall be formally advising the Corporation of its position on coverage with respect to any damages and or costs claimed, as well as legal defense costs. For more information, please contact the Property Manager.
  - b) In addition, the Corporation has initiated an application in the Condominium Authority Tribunal (the CAT) against the owner of unit 402 in 100 Quebec Ave, Toronto, Ontario, M6P 4B8 as well as the occupant of the unit for relief requiring removal of a dog from the unit and the Corporation's premises as being contrary to the Corporation's declaration. The Corporation seeks its costs of the application and should same be awarded, will be added to the common expenses for the unit and be collectible in the same manner. The CAT case number is 2022-00183N. The Owner and occupant respondents have joined the case as of the date of this status certificate. For more information, please contact the Property Manager.
20. The Corporation has not received a notice of or made an application under section 109 of the *Condominium Act, 1998* to the Superior Court of Justice for an order to amend the declaration and description, where the court has not made the order.
21. The Corporation has no outstanding claim for payment out of the guarantee fund under the *Ontario New Home Warranties Plan Act*.
22. There is currently no order of the Superior Court of Justice in effect appointing an inspector under section 130 of the *Condominium Act, 1998* or an administrator under section 131 of the *Condominium Act, 1998*.

### **Agreements with Owners Relating to Changes to the Common Elements**

23. The unit is not subject to any agreement under clause 98 (1) (b) of the *Condominium Act, 1998* or section 24.6

of Ontario Regulation 48/01 (General) made under the Condominium Act, 1998 relating to additions, alterations or improvements made to the common elements by the unit owner.

### **Leasing of Units**

24. The Corporation has received notice under section 83 of the *Condominium Act, 1998*, that 44 units were leased during the fiscal year preceding the date of this status certificate.

### **Substantial Changes to the Common Elements, Assets or Services**

25. There are no additions, alterations or improvements to the common elements, changes in the assets of the Corporation or changes in a service of the Corporation that are substantial and that the board has proposed but has not implemented or section 24.6 of Ontario Regulation 48/01 (General) made under the *Condominium Act, 1998* except the installation of infrastructure:

The Corporation entered a contract with EV Direct Inc., for installation of three EV Direct Smart Systems, one each on all 3 parking levels, for an estimated cost of \$70,000.00 plus HST. (An EV Direct Smart System supports 20, Level 2, EV charging stations on each parking garage level.) the project was completed in 2020.

The balance of the system (wiring to the owners' charger and the charger itself, installed in an individual parking spot, etc.) is an owner expense when installation is requested by the owner.

The Corporation entered a contract with Complete Energy Solutions Ltd., per the Reserve Fund, for a Fan Coil and Riser retrofit project for 80 Quebec, for an estimated cost of \$1,605,636.00 plus HST. The project was completed in December 2021.

The Corporation amended its declaration and description (by Instrument No. AT1343352 in the Land Titles Office) in order to acquire and add to its common elements the newly completed recreational amenity lands known as the Quebec Site (66-74 Quebec Avenue) comprising new tennis courts and landscaping facilities. In accordance with a Land Exchange Agreement among York Condominium Corporations Nos. 323 and 435, the City of Toronto and Monarch 20 Gothic Limited ("Monarch") completed on December 5, 2006, the new recreational amenities constructed by Monarch in accordance with the Land Exchange Agreement and now forming part of the common elements of this Corporation have been completed. In addition, a permanent easement has been transferred over this portion of the common elements of York Condominium Plan No. 435 in favour of our sister corporation, York Condominium Corporation No. 323 for shared use, enjoyment, maintenance, and repair of the new recreational facilities in accordance with By-Law No. 12 of this Corporation. The new recreational amenities replace the former amenities lands which were leased from the City of Toronto on the south side of Gothic Avenue on which a new mid-rise condominium is being developed by Monarch.

Accordingly, By-Law No. 15 of this Corporation which refers to the City Lease of the former recreational amenities' lands and a governing structure between the Corporations for recreational amenities, including the outdoor swimming pool forming part of the common elements of York Condominium Corporation No. 323, is in the course of being updated and will be replaced in due course by a new Recreational Facilities Agreement between the Corporations.

The net result and benefit for both Corporations and their respective unit owners is the elimination of the annual cost of former lease rental payments to the City including realty taxes also payable under the former City Lease. Because the new recreational facilities now form part of the common elements of York Condominium Plan No. 435, no realty tax assessment will apply to the new recreational amenities, the value of which will be reflected in the ongoing market value assessment of residential units in both condominium plans.

### **Insurance**

26. The Corporation has secured all policies of insurance that are required under the *Condominium Act, 1998*.

27 – 32. These sections are not applicable to a Standard Condominium Corporation.

### **Attachments**

33. The following documents are attached to this status certificate and form part of it:

- a) copy of the current declaration, by-laws and rules.
- b) a copy of the budget of the Corporation for the current fiscal year, its last annual audited financial statements and the auditor's report on the statements.

- c) a list of all current agreements mentioned in section 111, 112 or 113 of the *Condominium Act, 1998* and all current agreements between the Corporation and another corporation or between the Corporation and the owner of the unit;
- d) a certificate or memorandum of insurance for each of the current insurance policies.
- e) A copy of all agreements, if any, described in clause 98 (1) (b) of the *Condominium Act, 1998* or section 24.6 of Ontario Regulation 48/01 (General) made under the *Condominium Act, 1998* that bind the unit.
- f) A copy of a notice dated April 15, 2023 containing a summary of the reserve fund study, a summary of the proposed plan for future funding of the reserve fund and a statement indicating the areas, if any, in which the proposed plan differs from the study.

**Rights of Person Requesting Certificate**

34. The person requesting this certificate has the following rights under subsections 76 (7) and (8) of the *Condominium Act, 1998* with respect to the agreements listed in Subparagraph (c) in the preceding paragraph above:
- a) Upon receiving a written request and reasonable notice, the Corporation shall permit a person who has requested a status certificate and paid the fee charged by the Corporation for the certificate, or an agent of the person duly authorized in writing, to examine the agreements listed in Subparagraph (c) in the preceding paragraph at a reasonable time and at a reasonable location.
  - b) The Corporation shall, within a reasonable time, provide copies of the agreements to a person examining them, if the person so requests and pays a reasonable fee to compensate the Corporation for the labour and copying charges.

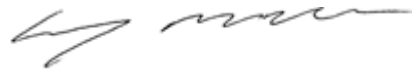
**Unit Owner Identification**

35. **Upon ownership of a unit being transferred, it is the responsibility of the purchaser to advise the Corporation, in writing, of the purchaser's name and address for service. It is preferable that this information be provided to the Corporation immediately following the transfer of ownership of the unit. Until this notice is received in writing by the Corporation, the Corporation cannot recognize the purchaser as the owner of the unit on the records of the Corporation. The Corporation will not be responsible for any compromise of the purchaser's rights vis-à-vis the Corporation, or for any costs, losses or damages incurred by the purchaser as a result of any delay in providing this information.**

**This status certificate is valid subject to all common expense payment cheques clearing the bank.**

Dated this 4<sup>th</sup> day of July 2023

**York Condominium Corporation No. 435**



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Craig McMillian  
President  
*ASO, Authorized Signing Officer*

**IMPORTANT:**

**Owners must comply with the *Condominium Act, 1998*, and the Declaration, By-Laws and Rules of York Condominium Corporation No. 435.**

July 4, 2023

**YORK CONDOMINIUM CORPORATION NO. 435**

**RE:       VENDOR:                   TARA POWADIUK**  
**PURCHASER:                UNKNOWN**  
**YORK CONDOMINIUM CORPORATION NO. 435**  
**100 QUEBEC AVENUE, UNIT 1602 TORONTO, ONTARIO,**  
**CLOSING:                    UNKNOWN**

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As requested, we are pleased to enclose a Status Certificate for the above-noted suite along with the Corporation's current Certificate of Insurance, the current Operating Budget, last Audited Financial Statement, Schedule of Agreements, and other related documentation of the Condominium. Please review the attached status package for important and pertinent information with respect to your corporation.

Please be advised that the owner **IS NOT IN default** with respect to the payment of common element fees **as of July 4, 2023**

*(Please be aware that it is the sole responsibility of the current registered owner(s) of the unit to ensure that any purchaser/new owner is made aware of any additions, alterations, betterments, improvements, etc. made to the unit, and to make clear the undertaking of responsibility for repair and maintenance upon the unit closing/transfer of title. The Corporation is not responsible for same, now or in the future, and may request the change be registered on title at the sole expense of the owner.)*

**Important to note:** To avoid your PAP being processed, cancellations are to be received no later than the 15<sup>th</sup> of the month prior to closing.

The new Owner should **provide post-dated cheques** for the **first** day of each **month or participate in the Pre-Authorized Payment Plan**. To **enroll** in the PAP plan, please complete the enclosed form and forward it, together with a VOID cheque, to us at the address below. PAP may commence on the 1<sup>st</sup> of the month if a void cheque is submitted **NO LATER THAN the 15<sup>th</sup>** of the month prior.

**We require the purchaser's primary email address to forward the New Owner Information Certificate.** Please click on the link below and fill in your name, address and email to register for online correspondence <http://mrcm.ca/records>.

**This Certificate is required under the new Condominium Act, and we require the completed Certificate no later than 15 days after closing.**

**If it is the intention of the purchaser to rent his/her unit, please ensure that a Leasing Agreement is completed and a copy provided to the Management Office, along with a signed copy of Form 5, a copy of which is enclosed. All residents MUST be registered with the Management Office BEFORE move-in.**

If you have any questions with respects to the foregoing, please do not hesitate to contact the undersigned at (905) 507-6726.

Yours sincerely,  
MAPLE RIDGE COMMUNITY MANAGEMENT LTD.

Stephen Pointer  
Property Manager  
SP/sr